

702 KAR 1:100. Merger of independent and county school districts.

RELATES TO: KRS 156.031, 160.041

STATUTORY AUTHORITY: KRS 156.070, 156.160

NECESSITY, FUNCTION, AND CONFORMITY: KRS 156.031 requires that administrative regulations relating to statutes amended by the 1990 Kentucky Education Reform Act be reviewed, amended if necessary, and resubmitted to the Legislative Research Commission prior to December 30, 1990; and KRS 160.041 sets forth various procedures for forcing mergers of independent and county school districts and specifying the terms of merger. This administrative regulation provides an orderly procedure for merger of independent and county school districts when the State Board for Elementary and Secondary Education must make determinations under KRS 160.041.

Section 1. In the event merger is not consummated under the provisions of KRS 160.041(1) and (2)(a) and (b), and the independent board of education appeals to the chief state school officer citing financial inability to operate, the chief state school officer shall investigate the financial conditions of the independent school district and report his findings and his recommendations with respect to merger to the State Board for Elementary and Secondary Education within ninety (90) days of receipt of such an appeal. Merger action shall be taken by the State Board for Elementary and Secondary Education within ninety (90) days following receipt of the report of findings and recommendations of the chief state school officer.

Section 2. If the State Board for Elementary and Secondary Education determines the independent school district shall be merged with the county school district, it shall merge the districts stating the terms, conditions, and effective date. (3 Ky.R. 462; eff. 2-2-77; Am. 17 Ky.R. 425; eff. 10-14-90.)